

UNITED STATES COAST GUARD

REPORT OF INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING THE INCIDENT INVOLVING MORNING STAR CRUISES-SEA TREK DIVE DEATH

ON 08/14/2002



MISLE Activity Number: 1665190
ORIGINATING UNIT: MSO HONOLULU
MISLE Activity Owner: COMMANDANT (G-MRI)
MISLE Activity Controller: COMMANDANT (G-MRI)
MISLE CASE NUMBER: 0

EXHIBIT 2

M00292

Report of Investigation

I. INCIDENT BRIEF

Activity 1665190, investigation into SEATREK Diving accident with KBOS/Morning Star Cruises Barge-HA1367, on August 14, 2002 in Kaneohe Bay, Oahu. Female passenger death. No crew or other passengers injured.

SUMMARY-- On August 14, 2002, while diving with the SEATREK system in Kaneohe Bay in 12 feet of water, Mrs. Mitsuko Fukuoka suddenly became "panicky" (exhibit-8 page 3, CG2692) and was assisted to the surface. She was transported to Castle Memorial Hospital. She died two days later (Exhibit-5 page 8).

FINDINGS--**Vessel Data:**

Name: HA1367CP

Flag: U.S.

Vessel Type: 24FT Barge

Operating Company: Morning Star Cruises, Inc.

49-132 Kamehameha Hwy

Kaneohe, HI 96744 Ph:(808) 239-8886

State of Hawaii: Kaneohe Bay Ocean Recreation Management Area (ORMA) Use Permit-- No. O-KB-12e; Permit valid from June 28, 2002 to June 27, 2003.

Weather:

Air Temp: 75 degrees

Wind: NE Tradewinds at 0-6 mph

Visibility: Good

Involved party information:

- a. [REDACTED], vessel (barge) master, CG license No. [REDACTED], issued December 1998. 9 years experienced master.
- b. [REDACTED], dive leader, Safety First CPR/First Aid. Kaneohe, HI.
- c. [REDACTED], safety diver, PADI Dive Master. Honolulu, HI.
- d. [REDACTED], barge crew, PADI Dive Master. Mililani, HI.
- e. [REDACTED], barge crew, Honolulu, HI.
- f. [REDACTED], ferry boat captain, CG license No. [REDACTED], CPR A.E.D. Hauula, HI.
- g. Mitsuko Fukuoka, deceased passenger, Hamakita-Shi, Japan. Age: 43, Height: 5'2", Weight: 130 lbs.
- h. [REDACTED], husband of victim. Hamakita-Shi, Japan.

1. On August 14, 2002, Mrs. Mitsuko Fukuoka, a 43 year old female passenger on the Morning Star Cruises barge (HA1367) became distressed while diving with the surface supplied air 'SEATREK' helmet in Kaneohe Bay, HI. She was in approximately 12 feet of water and had been diving for about 5 minutes, when according to the dive guide, Mr. [REDACTED], she started giving him hand signals indicating "trouble" (Exhibit-8 CG-2692 Report of Accident, Injury or Death).

2. The operator, Kaneohe Bay Ocean Sports (KBOS) a division of Morning Star Cruises, had a valid state use permit in-effect on the date of the incident.

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3. The SEATREK helmet is used for underwater walking and provides positive pressure supply of air from a compressor located on the barge via a 75ft tether. The helmet is 80 lbs, white and is made of ceramic; there are no engravings or serial number on it (Exhibit-9 DOCARE Property Report).
4. Safety diver, Mr. [REDACTED], escorted Mrs. Fukuoka to the vessel's ladder about 20 yards away to bring her to the surface. At the ladder she went "limp" and had to be carried to the surface by Mr. [REDACTED] (Exhibit-2 [REDACTED] statement).
5. When the helmet was removed, blood and water started coming out of Mrs. Fukuoka's nose. There was no water in the helmet. While being transported to shore via small boat, she stopped breathing and CPR was conducted by employees, Mr. [REDACTED] and Mr. [REDACTED] (Exhibits 3 and 4, statements of [REDACTED] and [REDACTED]).
6. Mrs. Fukuoka was transported to Castle Memorial Hospital, and later that evening, to the Kuakini Decompression Chamber for sickness treatment which had no effect (Exhibit-5 DOCARE Case Report pages 7 & 8). Subsequently, she died two days after the incident. The autopsy revealed that the manner of death was accidental, and listed Asphyxia by drowning as the immediate cause of death. Contributing causes of death were Ischemic heart disease and Cardiomegaly (Exhibit-6 Certificate of Death, Exhibit-7 Autopsy Report).
7. State of Hawaii Department of Land and Natural Resources (DLNR), Division of Conservation and Resources Enforcement (DOCARE) officers [REDACTED] and [REDACTED] were dispatched to investigate this incident at Heeia Kea Small Boat Harbor in Kaneohe Bay involving Kaneohe Bay Ocean Sports (KBOS)/Morning Star Cruises (Exhibit-5 page 2). They interviewed and took statements from the involved crew. The Harbor Master and medical personnel at Castle Memorial Hospital were also interviewed (Exhibit-5 page 3).
8. On August 16, 2002, Officer [REDACTED] met with the General Manager of KBOS, Mr. [REDACTED], to go through an equipment familiarization and function test onboard the KBOS barge. The helmet used by Mrs. Fukuoka was connected to the air system and checked for leaks. There were no visible signs of damage to the helmet. (Exhibit-5 page 6).
9. On August 17, 2002, the Coast Guard (USCG) Senior Investigating Officer contacted DOCARE, Officer [REDACTED], to request that the state impound the helmet for testing with an external source later (Exhibit-5 page 8). Officer [REDACTED] accepted custody of the helmet from KBOS at 1735 (Exhibit-9 State of Hawaii Property Report).
10. That same day, the helmet was tagged as evidence and placed into storage by DOCARE Evidence Custodian, Officer [REDACTED]. It was subsequently transferred to Marine Safety Office Honolulu Investigations at the request of Oahu DOCARE Branch Chief [REDACTED] (Exhibit-12 pages 1-4).
11. On August 18, 2002, the USCG Investigator met with DOCARE Officers [REDACTED] and [REDACTED] to interview a former sales representative, Mr. [REDACTED], for Pylot Company (the makers of the SEATREK helmet and system), and to inquire about any available testing facility on Oahu that could conduct an inspection of the helmet and system. Mr. [REDACTED] stated that KBOS personnel

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were trained and certified by Akira Konno, founder of Pylot Co., and that there is no other source available in Hawaii to do the testing. Detailed interview with Mr. [REDACTED] followed (Exhibit-5 page 10).

12. The helmet was tagged as evidence and placed into storage by DOCARE Evidence Custodian, Officer [REDACTED], that day. It was subsequently transferred to Marine Safety Office Honolulu Investigations at the request of Oahu DOCARE Branch Chief [REDACTED] (Exhibit-12 page 1-4).

13. On September 23, 2002, a determination was made to return the helmet to KBOS based on several circumstances:

- Coroner's findings;
- Inability to ensure this was the actual helmet;
- Lack of independent manufacturer testing facilities;
- Statement by PYLOT attesting to competency of KBOS company to conduct helmet tests (Exhibit-5 page 10).

14. Chemical tests performed on Mr. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED] by an approved collection facility (Medical Corner, Kailua, Hawaii) proved negative (Exhibit-11 CG-2692 B).

15. According to a phone conversation with Mr. [REDACTED] (KBOS General Manager), on April 21, 2003, the company (masters, deck hands, dive masters, managers) "went through everything about 1,000 times" to see if anything could have caused the accident, and came up with nothing. They now require equipment checks more frequently, like weekly checks and daily checks on specific components of the system. He also stated that, "we suspended our SEATREK operation for a few weeks".

CONCLUSION--

1. The investigation and findings of DOCARE are accepted by the Coast Guard (Exhibit-5 pages 11-12).
2. There is no evidence to suggest the diving accident was due to the action or inaction on the part of the crew or was caused by the malfunction of any part of the SeaTrek Diving system (Exhibit-5 page 12).
3. The victim's manner of death was accidental. Immediate cause of death was asphyxia by drowning, with contributing causes of death were Ischemic heart disease and Cardiomegaly (Exhibit-7).
4. Following the incident, KBOS was cooperative by allowing easy access to all records and technical information they used in the systems operation and maintenance. Throughout the investigation, KBOS voluntarily suspended their SEATREK operations, even while the State Permit remained in force.
5. There were no apparent violations of rules or regulations and no misconduct or negligence on the part of the master and crew.

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RECOMMENDATIONS--

1. Although not required by Coast Guard regulation, KBOS should develop it's own Standard Operating Procedures (SOP). Doing so might aid investigators in determining the root cause of any future investigation. At the time of the accident, the SOP they had was for the SEAWALKER system.
2. Although not required by Coast Guard regulation, training records should be maintained for all KBOS personnel who operate or service/maintain the SEATREK system. There were no training records available for review. The records should indicate who provided training, to what standard, where and when it took place, what was covered and who attended. Doing so might aid investigators in determining the root cause of any future investigation.
3. Although not required by Coast Guard regulation, Pre-Operation and Post-Operation checklists should be maintained and the records kept on file as required by the SEAWALKER SOP. Doing so might aid investigators in determining the root cause of any future investigation.

/s/

[REDACTED], BMI, USCG
Assistant Investigating Officer

ENCLOSURES--

- 1) Statement of Dive Leader, Mr. [REDACTED]
- 2) Statement of Dive Master, Mr. [REDACTED]
- 3) Statement of Small Boat Captain, Mr. [REDACTED]
- 4) Statement of Barge Crewman, Mr. [REDACTED]
- 5) DOCARE Report; Case No.03/0225-OA
- 6) Copy of Certificate of Death
- 7) Autopsy Report
- 8) CG-2692, Report of Accident Injury or Death, dated 19Aug02
- 9) State of Hawaii Property Report
- 10) State of Hawaii DLNR ORMA Permit
- 11) CG-2692 B, Report of Required Chemical and Alcohol Testing
- 12) DOCARE Follow Up Report
- 13) MSO Honolulu Chain of Custody for SEATREK helmet

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II. EXECUTIVE SUMMARY

Incident Summary

Activity 1665190, investigation into SEATREK Diving accident with KBOS/Morning Star Cruises Barge-HA1367, on August 14, 2002 in Kaneohe Bay, Oahu. Female passenger death. No crew or other passengers injured.

SUMMARY-- On August 14, 2002, while diving with the SEATREK system in Kaneohe Bay in 12 feet of water, Mrs. Mitsuko Fukuoka suddenly became "panicky" (exhibit-8 page 3, CG2692) and was assisted to the surface. She was transported to Castle Memorial Hospital. She died two days later (Exhibit-5 page 8).

FINDINGS--

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Vessel Type: 24FT Barge

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- a. [REDACTED], vessel (barge) master, CG license No. [REDACTED], issued December 1998. 9 years experienced master.
- b. [REDACTED], dive leader, Safety First CPR/First Aid. Kaneohe, HI.
- c. [REDACTED], safety diver, PADI Dive Master. Honolulu, HI.
- d. [REDACTED], barge crew, PADI Dive Master. Mililani, HI.
- e. [REDACTED], barge crew, Honolulu, HI.
- f. [REDACTED], ferry boat captain, CG license No. [REDACTED], CPR A.E.D. Hauula, HI.
- g. Mitsuko Fukuoka, deceased passenger, Hamakita-Shi, Japan. Age: 43, Height: 5'2", Weight: 130 lbs.
- h. [REDACTED], husband of victim. Hamakita-Shi, Japan.

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2. The operator, Kaneohe Bay Ocean Sports (KBOS) a division of Morning Star Cruises, had a valid state use permit in-effect on the date of the incident.
3. The SEATREK helmet is used for underwater walking and provides positive pressure supply of air from a compressor located on the barge via a 75ft tether. The helmet is 80 lbs, white and is made of ceramic; there are no engravings or serial number on it (Exhibit-9 DOCARE Property Report).
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5. When the helmet was removed, blood and water started coming out of Mrs. Fukuoka's nose. There was no water in the helmet. While being transported to shore via small boat, she stopped breathing and CPR was conducted by employees, Mr. [REDACTED] and Mr. [REDACTED] (Exhibits 3 and 4, statements of [REDACTED] and [REDACTED]).
6. Mrs. Fukuoka was transported to Castle Memorial Hospital, and later that evening, to the Kuakini Decompression Chamber for sickness treatment which had no effect (Exhibit-5 DOCARE Case Report pages 7 & 8). Subsequently, she died two days after the incident. The autopsy revealed that the manner of death was accidental, and listed Asphyxia by drowning as the immediate cause of death. Contributing causes of death were Ischemic heart disease and Cardiomegaly (Exhibit-6 Certificate of Death, Exhibit-7 Autopsy Report).
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SEATREK helmet and system), and to inquire about any available testing facility on Oahu that could conduct an inspection of the helmet and system. Mr. [REDACTED] stated that KBOS personnel were trained and certified by Akira Konno, founder of Pylot Co., and that there is no other source available in Hawaii to do the testing. Detailed interview with Mr. [REDACTED] followed (Exhibit-5 page 10).

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5. There were no apparent violations of rules or regulations and no misconduct or negligence on the part of the master and crew.

RECOMMENDATIONS--

1. Although not required by Coast Guard regulation, KBOS should develop it's own Standard Operating Procedures (SOP). Doing so might aid investigators in determining the root cause of any future investigation. At the time of the accident, the SOP they had was for the SEAWALKER system.
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3. Although not required by Coast Guard regulation, Pre-Operation and Post-Operation checklists should be maintained and the records kept on file as required by the SEAWALKER SOP. Doing so might aid investigators in determining the root cause of any future investigation.

/s/

[REDACTED], BM1, USCG
Assistant Investigating Officer

ENCLOSURES--

- 1) Statement of Dive Leader, Mr. [REDACTED]
- 2) Statement of Dive Master, Mr. [REDACTED]
- 3) Statement of Small Boat Captain, Mr. [REDACTED]
- 4) Statement of Barge Crewman, Mr. [REDACTED]
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- 11) CG-2692 B, Report of Required Chemical and Alcohol Testing
- 12) DOCARE Follow Up Report
- 13) MSO Honolulu Chain of Custody for SEATREK helmet

Incident Involved: Marine Casualty, Reportable

Level of Investigation: Data Collection

IMO Classification: Routine

USCG Classification: Significant Marine Casualty

Was this a Serious Marine Incident? Yes

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Was a Marine Board Convened by Commandant? No

Personnel Casualty Summary

Total Missing (Active Search) = 0
Total Missing (Presumed Lost) = 0
Total Dead = 1
Total Injured = 0
Total Uninjured = 7
Total People at Risk = 8
Other Personnel (Not at Risk) = 3

Vessel(s) Status Summary

Actual Total Loss(es) = 0
Total Constructive Loss, Salvaged = 0
Total Constructive Loss, Unsalvaged = 0
Damaged = 0
Undamaged = 1

Property Damage Summary/Total Damage

Vessel(s) = \$
Cargo = \$
Facility(s) = \$
Other = \$

* Includes estimates

Waterway Mobility Summary

Vessel Delays (including speed restrictions): None

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III. ACTIONS IN RESPONSE TO THIS REPORT

Actions on Recommendations

Safety Alerts

Report of Investigation

IV. FINDINGS OF FACT

Subjects of the Investigation

Vessels. The following vessels were subjects of this investigation. Particulars for each vessel follow.

Vessel Name:	HA1367CP
Flag:	UNITED STATES
Vessel Identification Number:	HA1367CP
Call Sign:	
Status:	Undamaged
Role:	Involved in a Marine Casualty
Vessel Class, Type, Sub-Type:	Barge, Passenger Barge, General
Gross Tonnage(GRT):	
Net Tonnage(NRT):	
Deadweight Tons:	
Length:	24
Home/Hailing Port:	
Keel Laid Date:	
Delivery Date:	
Place of Construction:	
Builder Name:	
Propulsion:	
Horsepower:	
Master:	
Classification Society:	
Owner:	
Operator:	MORNING STAR CRUISES 49-132 Kamehameha Hwy. Kaneohe, HI, 96744 US
Inspection Subchapter:	
Most Recent Vessel Inspection Activity:	

Facilities. The following facilities were subjects of this investigation. Particulars for each facility follow.

Parties and Organizations. The following people and organizations were subjects of this investigation.

	Status:	Not at Risk
	Role:	Crewmember
	Gender:	

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Age:
 SSN:
 Birth Date:
 Email Address:
 Phone Number(Home):
 Address(Home/Primary Residence):




 US


Comments:



FUKUOKA, MITSUKO

Status: Dead
 Role: Passenger
 Gender: F
 Age: 43
 SSN:
 Birth Date:
 Email Address:
 Phone Number ():
 Address ():
 Comments:



Status: Not at Risk
 Role: Crewmember
 Gender: M
 Age: 
 SSN: 
 Birth Date:
 Email Address:
 Phone Number ():
 Address ():
 Comments:



Status: Not at Risk
 Role: Crewmember
 Gender: M
 Age: 
 SSN: 
 Birth Date:
 Email Address:
 Phone Number ():
 Address ():
 Comments:



Status: Not at Risk

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Report of Investigation

Role:	Investigator
Gender:	M
Age:	
SSN:	- -
Birth Date:	
Email Address:	██████████@d14.uscg.mil
Phone Number(Work):	(808) 522-8264 293
Address(Work):	CG MSO Honolulu 433 Ala Moana Blvd Honolulu, HI 96813

Comments:	Supported and documented case, worked closely with State of Hawaii DLNR officers.
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██████████	
Status:	Not at Risk
Role:	Reporting Party
Gender:	M
Age:	██████████
SSN:	██████████
Birth Date:	
Email Address:	
Phone Number ():	
Address ():	
Comments:	

██████████	
Status:	Not at Risk
Role:	Crewmember
Gender:	M
Age:	██████████
SSN:	██████████
Birth Date:	
Email Address:	
Phone Number ():	
Address ():	
Comments:	

██████████	
Status:	Not at Risk
Role:	Other Agency Investigator
Gender:	M
Age:	
SSN:	- -
Birth Date:	
Email Address:	
Phone Number(Work):	(808) 255-3174

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Address ():

Comments:

See comments for [REDACTED]

Status:

Not at Risk

Role:

Other

Gender:

M

Age:

SSN:

- -

Birth Date:

Email Address:

Phone Number(Work):

(808) 239-8886

Address(Primary Place of Business):

49-132 Kamehameha Highway
Kaneohe, HI 96744

Comments:

General Manager at KBOS, Morning
Star Cruises Inc. Submitted CG-2692
and 2692B.

Status:

Not at Risk

Role:

Other Agency Investigator

Gender:

M

Age:

SSN:

- -

Birth Date:

Email Address:

Phone Number(Work):

(808) 587-0077

Address():

Comments:

Officer [REDACTED] and Officer [REDACTED]
[REDACTED] were the responding officers
from the State of Hawaii DLNR
agency.

Status:

Not at Risk

Role:

Co-Responsible Party

Gender:

M

Age:

SSN:

- -

Birth Date:

Email Address:

Phone Number(Work):

(808) 239-8886

Address(Primary Place of Business):

49-132 Kamehameha Highway
Kaneohe, HI 96744

Comments:

President of KBOS, Morning Star
Cruises Inc.

MORNING STAR CRUISES INC.

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Status: Not at Risk
 Role: Responsible Party
 Email Address:
 Phone Number (Work): (808) 239-8886
 Address (Primary Place of Business): 49-132 Kamehameha Highway
 Kaneohe, HI 96744
 Comments:

Drug and Alcohol Testing. The following people have been determined by the Coast Guard, Law Enforcement Personnel, and/or the Marine Employer to have been directly involved in a Serious Marine Incident as defined in 46 CFR 4.03-2:

[REDACTED]; Crewmember
 [REDACTED]; Reporting Party
 [REDACTED]; Crewmember

Response Resources. The following incident response resources were subjects of this investigation.

Other Subjects. The following were subjects of this investigation.

Waterway Segment(s). The following waterway segment(s) were subjects of this investigation.

Heeia Kea Boat Harbor
 Role: Location
 Local Name: Kaneohe Bay
 Description:

Incident Information

Location(s).

<u>Description</u>	<u>Latitude</u>	<u>Longitude</u>
Aboard Vessel: Barge-HA1367CP: Heeia Kea Boat Harb	21 26.6 N	157 48.6 W

Sequence of Events.

08/14/2002 10:15 to 08/14/2002 11:44 (Estimated): Mitsuko Fukuoka, a 43 year old female passenger from Japan died two days after diving at Kaneohe Bay with the KBOS Seawalker activity. The autopsy report revealed the manner of death as accidental with Ischemic heart disease and Cardiomegaly as contributing factors. Immediate cause of death is asphyxia by drowning.

Event Type: Personnel Casualties
 Event Class:

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Event Subclass:

Location: Known; US Waters

Description: Aboard Vessel: Barge-HA1367CP: Heeia Kea Boat Harb

Latitude: 21 26.6 N Longitude: 157 48.6 W

Subject(s) and Details:

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
FUKUOKA, MITSUKO	Party	Dead	Passenger

Details Filed: Injury Details

Did death occur: Yes

Was Death Immediate: No

Cause of Death: Accidents involving submersion & suffocation (E910)

Cause of Death (text): Asphyxia by drowning

Nature of Injury Causing Death:

Nature of Event Causing Death: Noncontact Injury- Diving

Date of Death Known: Yes

Date: 08/16/2002

Date of Declared Death: 08/16/2002

Declared By: [REDACTED]

Organization: Castle Memorial Hospital

Was Diving Involved: Yes

Commercial/Recreational: Recreational

Type of Diving: Team

Dive Depth: 15 Feet

Did injury occur: No

Is the Person Missing: No

Subject to Chemical Exposure: No

Exposed to Biological Hazards: No

Exposed to a Confined Space/Respiration Hazard: No

Exposed to Other Hazards: No

Narrative Summary: Mrs. Mitsuko Fukuoka a 43 year old visitor from Japan suffered an asphyxia incident while diving with KBOS Seawalker diving out of Heeia Harbor, Kaneohe, Hawaii on August 14, 2002. She was taken to Castle Memorial Hospital where she passed away two days later.

Drug testing and alcohol test were performed immediately following the incident. Drug and Alcohol test were given to [REDACTED], and [REDACTED]. All test were [REDACTED].

08/20/2002 17:30 to 08/20/2002 17:30 (Known): Drug and Alcohol test (NEG)

Action Type: Other Actions - Drug and Alcohol Use and Testing

Action Class: Take Drug Test - Post-casualty

Location: Unknown

Subject(s) and Details:

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
[REDACTED]	Party	Not at Risk	Crewmember

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Details Filed: Drug and Alcohol Test Details

Sample Collection

Reason for Sample: Post-casualty
 Date/Time Directed: 08/20/2002 5:30:00 PM
 Means of Direction:
 Directed By:
 Organization: U.S. Coast Guard
 Description:
 Directed to get DOT Test: Yes
 Chemical Test Sample Provided: Yes
 Chemical Test Type: Both
 Sample Type: Urine
 Date/Time Sample Taken: 08/20/2002 5:30:00 PM
 Sampling Location: Onsite Kailua
 DOT Protocols Used: Yes
 Collection Agent: [REDACTED]
 Donor Certified: Yes
 Irregularities Noted: No
 Transferred/Chain of
 Custody Complete: Yes

Field Sobriety Test

Field Sobriety Test Performed: No

Alcohol Analysis

Method of Analysis: Breath Test
 Instrument Used: BAT
 Date/Time Results Obtained: 08/20/2002 5:17:00 PM
 Results: [REDACTED]
 Agency Conducting Analysis: Reliable Drug Testing
 Description of Analysis: .000
 Irregularities in Analysis: No

Drug Analysis

Analyzing Laboratory: NORTHWEST DRUG TESTING, A DIVISION OF
 NWT, SALT LAKE CITY, U
 DOT Protocols Used: Yes
 Test Results: [REDACTED]
 Medical Review Officer/Coroner: [REDACTED]
 MRO/Coroner Conclusions: [REDACTED]
 Sample Transferred and Chain
 of Custody Complete: Yes

Drug Re-Analysis

08/20/2002 17:35 to 08/20/2002 17:35 (Known): Drug and Alcohol test (NEG)

Action Type: Other Actions - Drug and Alcohol Use and Testing
 Action Class: Take Drug Test - Post-casualty
 Location: Unknown

Subject(s) and Details:

Name	Type	Status	Role
[REDACTED]	Party	Not at Risk	Reporting Party

Details Filed: Drug and Alcohol Test Details

Sample Collection

Reason for Sample: Post-casualty
 Date/Time Directed: 08/20/2002

M00309

Report of Investigation

Means of Direction:
 Directed By:
 Organization: U.S. Coast Guard
 Description:
 Directed to get DOT Test: Yes
 Chemical Test Sample Provided: Yes
 Chemical Test Type: Both
 Sample Type: Urine
 Date/Time Sample Taken: 08/20/2002 5:35:00 PM
 Sampling Location: Onsite Kailua
 DOT Protocols Used: Yes
 Collection Agent: [REDACTED]
 Donor Certified: Yes
 Irregularities Noted: No
 Transferred/Chain of
 Custody Complete: Yes

Field Sobriety Test

Field Sobriety Test Performed: No

Alcohol Analysis

Method of Analysis: Breath Test
 Instrument Used: BAT
 Date/Time Results Obtained: 08/20/2003 5:22:00 PM
 Results: [REDACTED]
 Agency Conducting Analysis: Reliable Drug Testing
 Description of Analysis: .000
 Irregularities in Analysis: No

Drug Analysis

Analyzing Laboratory: NORTHWEST DRUG TESTING, A DIVISION OF
 NWT, SALT LAKE CITY, U
 DOT Protocols Used: Yes
 Test Results: [REDACTED]
 Medical Review Officer/Coroner: Dr. [REDACTED]
 MRO/Coroner Conclusions: [REDACTED]
 Sample Transferred and Chain
 of Custody Complete: Yes

Drug Re-Analysis

08/20/2002 17:50 to 08/20/2002 17:50 (Known): Drug and Alcohol test (NEG)

Action Type: Other Actions - Drug and Alcohol Use and Testing
 Action Class: Take Drug Test - Post-casualty
 Location: Unknown

Subject(s) and Details:

Name	Type	Status	Role
[REDACTED]	Party	Not at Risk	Crewmember

Details Filed: Drug and Alcohol Test Details

Sample Collection

Reason for Sample: Post Accident
 Directed to get DOT Test: Yes
 Chemical Test Sample Provided: Yes
 Chemical Test Type: Dangerous Drugs
 Sample Type: Urine
 Date/Time Sample Taken: 08/20/2002 5:50:00 PM
 Sampling Location: Onsite Kailua

Report of Investigation

DOT Protocols Used: Yes
 Collection Agent: [REDACTED]
 Donor Certified: Yes
 Irregularities Noted: No
 Transferred/Chain of
 Custody Complete: Yes

Field Sobriety Test

Field Sobriety Test Performed: No

Alcohol Analysis

Method of Analysis: Breath Test
 Instrument Used: BAT
 Date/Time Results Obtained: 08/20/2002 5:47:00 PM
 Results: [REDACTED]
 Agency Conducting Analysis: Reliable Drug Testing
 Description of Analysis: .000
 Irregularities in Analysis: No

Drug Analysis

Analyzing Laboratory: NORTHWEST DRUG TESTING, A DIVISION OF
 NWT, SALT LAKE CITY, U
 DOT Protocols Used: Yes
 Test Results: [REDACTED]
 Medical Review Officer/Coroner: Dr. [REDACTED]
 MRO/Coroner Conclusions: [REDACTED]
 Sample Transferred and Chain
 of Custody Complete: Yes

Drug Re-Analysis

N00311

Report of Investigation

V. CAUSAL ANALYSIS

The Initiating Event of the Incident

Initiating Event:

Personnel Casualties (08/14/2002 10:15:00 AM)

Production Factors

Preconditions

LUCs in People - Limitations of the person - Physical conditions

Workplace Factors

LUCs in Supervision - Inadequate tracking of qualifications

LUCs in Supervision - Inadequate tracking of performance

LUCs in Operations - Operations not in accordance with rules and regulations

Organization Factors

LUCs in Human Resources - Inadequate Training (of Line Managers)

LUCs in Procedures - Inadequate standards

LUCs in Procedures - Inadequate documentation

LUCs in Regulations - Inadequate or absent regulations

Defense Factors

Defenses that were in place but failed due to inadequacy - Inadequate training

Defenses that could reasonably have been expected but were never put in place - Absence of training

Failures of Defense Against Subsequent Events in the Incident

Report of Investigation

VI. REFERRAL FOR ENFORCEMENT ACTION

The following referrals for enforcement action have been made as a result of this investigation and represent those instances where the Coast Guard has gathered evidence that indicates one or more alleged violations or offenses may have occurred. Any determinations as to whether or not one or more actual violations or offenses have occurred are documented in the appropriate Coast Guard enforcement activities.

Report of Investigation

APPENDIX 1 - EVIDENCE

ECN 1665190 #10 [REDACTED]: Document/Written Statement

Crewman [REDACTED]

Collection Information:

Date/Time: 08/14/2002 10:30:00 AM

Location: Heeia Harbor

Collected By: 3rd Party Gathered; Officer [REDACTED], State of Hawaii
DLNR/DOCARE

Witnessed By: 3rd Party Witness; ,

Tracking:

Attachments:

ECN 1665190 #11 [REDACTED]: Document/Written Statement

Crewman [REDACTED]

Collection Information:

Date/Time: 08/14/2002 10:35:00 AM

Location: Heeia Harbor

Collected By: 3rd Party Gathered; Officer [REDACTED], State of Hawaii
DLNR/DOCARE

Witnessed By: 3rd Party Witness; ,

Tracking:

Attachments:

ECN 1665190 #12 [REDACTED]: Document/Written Statement

Crewman [REDACTED]

Collection Information:

Date/Time: 08/14/2002 2:05:00 PM

Location: Heeia Harbor

Collected By: 3rd Party Gathered; Officer [REDACTED], State of Hawaii
DLNR/DOCARE

Witnessed By: 3rd Party Witness; ,

Tracking:

Attachments:

ECN 1665190 #13 [REDACTED]: Document/Other Municipal Agency Documents

13-page report from DLNR/DOCARE Officers [REDACTED] and [REDACTED]

Collection Information:

Date/Time: 08/19/2002 12:00:00 PM

Location: MSO Honolulu

Collected By: USCG Gathered; BM1 [REDACTED], HONMS

Witnessed By: USCG Witness; ,

Tracking:

Attachments:

ECN 1665190 #14 [REDACTED]: Document/Other Municipal Agency Documents

Closing report from DLNR/DOCARE Officer [REDACTED].

Report of Investigation

Collection Information:

Date/Time: 09/25/2002 11:30:00 AM
Location: MSO Honolulu
Collected By: USCG Gathered; BM1 [REDACTED], HONMS
Witnessed By: USCG Witness; ,

Tracking:

Attachments:

ECN 1665190 #15 [REDACTED]: Document/Chain of Custody

FDTCCF/ [REDACTED]

2 Pages

Collection Information:

Date/Time: 08/13/2003 10:08:00 AM
Location: MSO Honolulu, INV
Collected By: USCG Gathered; YN2 [REDACTED],
Witnessed By: USCG Witness; ,

Tracking:

Attachments:

ECN 1665190 #16 [REDACTED]: Document/Chain of Custody

FDTCCF/ [REDACTED]
[REDACTED]

Collection Information:

Date/Time: 08/13/2003 10:08:00 AM
Location: MSO Honolulu, INV
Collected By: USCG Gathered; YN2 [REDACTED],
Witnessed By: USCG Witness; ,

Tracking:

Attachments:

ECN 1665190 #17 [REDACTED]: Document/Chain of Custody

FDTCCF/ [REDACTED]

2 pages

Collection Information:

Date/Time: 08/13/2003 10:08:00 AM
Location: MSO Honolulu
Collected By: USCG Gathered; YN2 [REDACTED],
Witnessed By: USCG Witness; ,

Tracking:

Attachments:

ECN 1665190 #2 [REDACTED]: Document/Other Document

State of Hawaii Department of Health: Certificate of Death, Mitsuko Fukuoka

Collection Information:

Date/Time: 08/20/2002 2:01:00 PM
Location: MSO Honolulu
Collected By: USCG Gathered; BM1 [REDACTED], HONMS
Witnessed By: USCG Witness; ,

100515

Report of Investigation

Tracking:
Attachments:

ECN 1665190 #3 [REDACTED]: Document/Chain of Custody
MSO Honolulu COC for the SeaTrek Helmet

Collection Information:

Date/Time: 09/13/2002 3:45:00 PM
Location: MSO Honolulu
Collected By: USCG Gathered; BM1 [REDACTED], HONMS
Witnessed By: USCG Witness; ,

Tracking:
Attachments:

ECN 1665190 #4 [REDACTED]: Document/Other Document

Department of the Medical Examiner City and County of Honolulu: Autopsy Report Case
No. 02-1079

Collection Information:

Date/Time: 08/20/2002 2:08:00 PM
Location: MSO Honolulu
Collected By: USCG Gathered; BM1 [REDACTED], HONMS
Witnessed By: USCG Witness; ,

Tracking:
Attachments:

ECN 1665190 #5 [REDACTED]: Document/CG-2692 Report of Marine Accident, Injury or Death
Submitted by KBOS General Manager [REDACTED]

Collection Information:

Date/Time: 08/19/2002 3:43:00 PM
Location: MSO Honolulu
Collected By: USCG Gathered; LT [REDACTED], HONMS
Witnessed By: USCG Witness; ,

Tracking:
Attachments:

ECN 1665190 #6 [REDACTED]: Document/CG-2692B Rpt of Req Chemical Drug/Alcohol Testing
[REDACTED] results of drug tests on KBOS crew.

Collection Information:

Date/Time: 08/20/2002 5:58:00 PM
Location: MSO Honolulu
Collected By: USCG Gathered; LT [REDACTED], HONMS
Witnessed By: USCG Witness; ,

Tracking:
Attachments:

ECN 1665190 #7 [REDACTED]: Document/Written Statement

Captain [REDACTED]
Collection Information:

Date/Time: 08/14/2002 10:40:00 AM

M00016

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Location: Heeia Harbor

Collected By: 3rd Party Gathered; Officer [REDACTED], State of Hawaii

DLNR/DOCARE

Witnessed By: 3rd Party Witness; ,

Tracking:

Attachments:

ECN 1665190 #8 [REDACTED]: Document/Written Statement

Crewman [REDACTED]

Collection Information:

Date/Time: 08/14/2002 10:40:00 AM

Location: Heeia Harbor

Collected By: 3rd Party Gathered; Officer [REDACTED], State of Hawaii

DLNR/DOCARE

Witnessed By: 3rd Party Witness; ,

Tracking:

Attachments:

ECN 1665190 #9 [REDACTED]: Document/Written Statement

Crewman [REDACTED]

Collection Information:

Date/Time: 08/14/2002 10:35:00 AM

Location: Heeia Harbor

Collected By: 3rd Party Gathered; Officer [REDACTED], State of Hawaii

DLNR/DOCARE

Witnessed By: 3rd Party Witness; ,

Tracking:

Attachments:

ECN1665190 #1 [REDACTED]: Document/Chain of Custody

State of Hawaii DLNR/DOCARE Property Report: SeaTrek Diving Helmet

Collection Information:

Date/Time: 08/17/2002 5:48:00 PM

Location: Heeia Harbor, Kaneohe Bay

Collected By: 3rd Party Gathered; Officer [REDACTED], State of Hawaii

DLNR/DOCARE

Witnessed By: 3rd Party Witness; Officer [REDACTED], State of Hawaii

DLNR/DOCARE

Tracking:

Attachments:

Report of Investigation

APPENDIX 2 - CORRESPONDENCE

7586 - Fax from [REDACTED] (KBOS) to ASIO, information on SeaTrek Manufacturer, 8/30/02

Source: 3rd Party

Type: Incoming

Received: At MSO Honolulu on 08/30/2002 9:59:00 AM

Attachments:

7592 - Honolulu Advertiser article posted on Tuesday, August 20, 2002. Title: "Tourist's Seawalker death a mystery" by [REDACTED] Advertiser Staff Writer

Source: 3rd Party

Type: Incoming

Received: At MSO Honolulu on 08/20/2002 1:25:00 PM

Attachments:

7593 - Letter of correction and patents from [REDACTED] on behalf of [REDACTED], President. Seawalker, Tokyo, Japan. August 26, 2002.

Source: 3rd Party

Type: Incoming

Received: At MSO Honolulu on 08/26/2002 1:33:00 PM

Attachments: